

Minutes of the Land Use, Parks and Environment Committee - November 1, 2005

The meeting was called to order at 8:52 a.m. by Chair Kolb.

Present: Chair Walter Kolb, County Board Supervisors Kathleen Cummings, Bill Kramer, Vera Stroud, Scott Klein (arrived at 9:00 a.m.); **Absent:** Pauline Jaske and Daniel Pavelko

Staff Present: Legislative Policy Advisor Mark Mader, Legis. Associate Sandra Meisenheimer

Also Present: Parks and Land Use Planning & Zoning Mgr. Dick Mace

Public Present: Mark Powers of Lake Country Engineering, Oconomowoc; Greg Cavaiani of YTINIRT, LLC of Oconomowoc; Jean Brown Ama, Norweigan Rd., Oconomowoc

Approve Minutes of October 18, 2005

Motion: Kramer moved, second by Cummings, to approve the minutes of 10/18/05. **Motion carried 4-0.**

Public Comment

Jean Brown Ama of the Town of Oconomowoc, who lives on Norweigan Road, appeared to discuss the rezoning amendment for Ordinance 160-O-067 (CZ-1577). The property is being rezoned from agricultural preservation to residential, environmental corridor and conservancy districts. She has a problem with this and is most frustrated. Her position is the same as the county's and is consistent with the Waukesha County Development Plan and SEWRPC's rural cluster subdivision guidelines, which say urban-type subdivisions including rural cluster subdivisions are incompatible and intrusive to agricultural production and preservation. She stated Jeff Hermann, Town of Oconomowoc Planner, warned the Town Plan Commission not to change the land use designation on this because under the Town's plan it is stated to leave all farmland north of Highway K in ag. preservation. There is also important open space there. It is land that is not impeded by public roads and pavements, which helps ground water concerns. There are a lot of problems with locating this development there but most important is that the county materials indicate it is incompatible and intrusive to agriculture. Once a subdivision is there, it will be a domino affect. This is a way to ruin the rural character of an area. This area is completely elevated, and you will see these gigantic homes all the way from Highway K. Please take a look at your materials. Ama thanked everyone for their careful attention.

Consider Proposed Ordinance: 160-O-066 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the SE ¼ of Section 8, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-1 Agricultural District to the R-3 Residential District (CZ-1582)

Mace reviewed the rezoning. The property is located in the Town of Oconomowoc on the west side of Mill Street and consists of approximately four acres. The proposed land use is for a single-family residential development. The petitioner is proposing to rezone the property to allow the creation of three or four dwelling units on the property. The Planning staff is recommending approval subject to four conditions as outlined in the ordinance.

Motion: Cummings moved, second by Kramer, to approve Ordinance 160-O-066. **Motion carried 5 - 0.**

Consider Proposed Ordinance: 160-O-067 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally

Rezoning Certain Lands Located in Part of the NE ¼ of Section 14, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation and C-1 Conservancy Districts to the R-1 Residential, E-C Environmental Corridor and C-1 Conservancy Districts (CZ-1577)

Mace went over the rezoning. The property is located in the Town of Oconomowoc on the west side of Norwegian Road approximately one mile north of CTH "K". The proposed land use is for a residential cluster development with ten lots (7.6 acres per dwelling unit, which is far in excess of the density of some of the neighboring parcels to the east and north) on a total parcel size of 76 acres. The best and environmentally most significant part of this farm will be protected and preserved in common open space and will be protected from development with the exception of the placement of trails and a gazebo on the open field that is referred to.

Kramer said more than 2/3rds of it are going to be preserved. Mace said that is what he thinks is really critical. Klein asked about the soils. Mace replied that the soils of this area are less than 50% prime ag. designated. Most of the soils are statewide significant, but they haven't advanced the concept of statewide significance as being qualified for ag. preservation characteristics. To Stroud's question about house sizes, the minimum is 1,200 to 1,300 sq.ft with the maximum being controlled by the floor area ratio. For instance, if you have an acre and a maximum 10% floor area ratio, you will only be able to have a 4,300 sq.ft. house.

The Planning staff is recommending approval subject to eight conditions as outlined in the ordinance. The staff feels this proposal, having a density of 7.6 acres per dwelling unit and preserving the environmental qualities of this site, is appropriate. For those reasons they recommend that this project be approved.

Motion: Kramer moved, second by Klein, to approve Ordinance 160-O-067. **Motion carried 5 – 0.**

Consider Proposed Ordinance: 160-O-068 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the NE ¼ of Section 22, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-5 Mini Farm District to the B-3 General Business District (CZ-1581)

Mace explained the rezoning. The property is located in the Town of Oconomowoc on the corner of Highway P/Highway K and contains approximately 2.5 acres. The proposed land use is the same as the present land use, which is commercial property for the retail sales and service of outdoor home and garden power equipment and recreational vehicles, and the sale of propane gas. The petitioner is proposing to rezone the property to expand the business operation through the construction of additions onto the building and construction of another large detached building. The Planning staff is recommending approval subject to the proposed uses on the property being limited to similar type uses currently operating on the property and prohibiting eleven uses, which are detailed in the ordinance.

Motion: Cummings moved, second by Kramer, to approve Ordinance 160-O-068. **Motion carried 5 – 0.**

Consider Proposed Ordinance: 160-O-069 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the S ½ of Section 8, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation District to the R-1 Residential District (CZ-1585)

Mace reviewed the rezoning. The property is located in the Town of Oconomowoc on the north side of McMahon Road, just west of Monterey Park (Town Park), and contains approximately 105 acres. The proposed land use is for a single-family residential development. The purpose of the rezone is to allow the parcel to be divided into 20 or 21 lots (depending on a survey of gross acreage), while maintaining a density of one dwelling unit for every five acres of land. Each lot will have a minimum of 1.5 acres of land area, with no lot exceeding two acres in size. The Planning staff is recommending approval subject to eight conditions as outlined in the ordinance.

Mace said the map should have C-1 at the bottom so he will redo the map and staff recommendation and write a memo explaining same. This information will be sent out with the County Board Agenda for November 8, 2005. The developers have indicated that they are dedicating the southeastern 25-30 acres as delineated on the Development Plan.

Motion: Cummings moved, second by Klein, to approve Ordinance 160-O-069. **Motion carried 5 – 0.**

Consider Proposed Ordinance: 160-O-070 Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map in the Village of Dousman by Rezoning Certain Lands Recently Annexed and Located in Part of the SW ¼ and SE ¼ of Section 33, T7N, R17E, Town of Summit, from the A-P Agricultural Land Preservation District to the R-3 Residential District (SVZ-1589)

Mace went over the rezoning. The property is located in the Town of Summit at the southeast intersection of Gramling Lane and STH 18 and contains approximately 3.2 acres within the former Waukesha County Shoreland and Floodland Ordinance jurisdictional limits. The entire property contains approximately 26.7 acres. The proposed land use is for a forty-two lot residential subdivision with lot sizes ranging from 18,127 sq.ft. to 49,597 sq. ft. The development is proposed to be served by municipal sewer and water. The Planning staff is recommending approval, which is consistent with the action taken by the Village of Dousman Board on September 12, 2005.

Motion: Kramer moved, second by Cummings, to approve Ordinance 160-O-070. **Motion carried 5 – 0.**

Consider Proposed Ordinance: 160-O-071 Amend the Text of the Town of Delafield Zoning Code Text and Zoning Map to Provide for Definitions of New Terms Used in the New Text Amendments and to Correct Previous Older Definitions, to Provide an Upland Environmental Corridor Overlay District and a Pewaukee Lake Non-Shoreland Redevelopment Overlay District, Place Several Areas of the Town into the New Non-Shoreland Redevelopment Overlay District and Amend Certain Areas of Land Known as Lapham Peak Park, Ethan Allan School and the Nagawaukee Golf Course and Park by Rezoning Them into the P-1 Park and Recreational District (ZT-1593)

Mace explained the request, which is an amendment to the Town of Delafield Zoning Code Text and Zoning Map. Mace said this has been going on for about two years and because of the concerns

voiced by some of the neighbors, the tree removal issue was taken out. Also, around Pewaukee Lake, which is really unique, they are creating an overlay district that will recognize existing older developed non-conforming lots and make it easier to re-develop or lump together. The Planning staff is recommending approval as detailed in the staff recommendation.

Motion: Kramer moved, second by Klein, to approve Ordinance 160-O-071. **Motion carried 5-0.**

Consider Proposed Ordinance: 160-O-072 Amend the Town of Genesee District Zoning Map of the Waukesha County Zoning Code for the Town of Genesee by Conditionally Rezoning Certain Lands Located in Part of the NW ¼ of Section 27, T6N, R18E, Town of Genesee, from the R- 2 Residential District to the B-2 Local Business District (CZ-1583)

Mace reviewed the rezoning. The property is located in the Town of Genesee on the west side of STH 83, approximately 200 ft. south of Old Village Road and contains approximately 16,915 sq.ft. The proposed land use for the near term is for parking and a real estate investment; the long term is for commercial. The Planning staff is recommending approval subject to two conditions as detailed in the ordinance.

Motion: Kramer moved, second by Stroud, to approve Ordinance 160-O-072. **Motion carried 5 - 0.**

Consider Proposed Ordinance: 160-O-073 Amend the Text of the Town Brookfield Zoning Code Regarding Section 17.02(14)(B)5.G to Include Office Uses as Commercial Service Facilities in the M-1 and M-2 Districts (ZT-1592)

Mace explained that the nature of this request for the text of the Town of Brookfield Zoning Code is to include office uses as commercial service facilities in the M-1 and M-2 Districts, as long as they are physically and sales-wise oriented towards the industrial district uses and employees. He stated it is a fairly minor text amendment. The Planning staff is recommending approval.

Motion: Klein moved, second by Cummings, to approve Ordinance 160-O-073. **Motion carried 5 - 0.**

Consider Proposed Ordinance: 160-O-074 Amend the Text of the Town of Waukesha Zoning Code Regarding Storage, Landscaping, Setback Requirements for Sanitation and Water Supply, Changes to Allow Setbacks as Well as Other Area and Location Requirements Being Reduced When Sewer and Water Was Available, Increase in the Size of Detached Garages and Accessory Buildings on Various Sized Parcels, Submittal of Required Information for Board of Appeals Hearings, Requirements for Information to be Submitted with Rezones Along with a Scale, Provisions for Special Exceptions and the Authority of the Board of Appeals to Grant Said Exceptions and New Provisions for Small Sidewalk and Sandwich Signs in Business and Industrial Districts (ZT-1587)

Mace stated that this is a text amendment for the Town of Waukesha as detailed in the title of the ordinance. He stated that there are no problems with this. The Planning staff is recommending approval as they feel that all of these standards are appropriate and are not inconsistent with the county's standards relative to these issues. In some respects the standards are more definitive, which is a positive step forward.

Motion: Cummings moved, second by Kramer, to approve Ordinance 160-O-074. **Motion carried 5 – 0.**

Executive Committee Report by Chair Kolb for Meeting of October 31, 2005

Kolb reviewed items that were discussed and/or considered at the last meeting on Monday, 10/31.

Motion to adjourn: Kramer moved, second by Cummings, to adjourn the meeting at 10:20 a.m.
Motion carried 5 – 0.

Respectfully submitted,

Pauline T. Jaske
Secretary

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